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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 UNITED STATES OF AMERICA,) CR No.3-12-71212
15 Plaintiff,)
16 v.) **STIPULATION AND ~~PROPOSED~~**
17 GRACIELA QUINONEZ RIVERA,) **ORDER CHANGING HEARING DATE**
18 Defendant.) **AND EXCLUDING TIME**
19 _____)

20 The date for a preliminary hearing or arraignment in this matter is currently set on
21 November 30, 2012. The parties hereby stipulate to set the preliminary hearing or arraignment
22 date on December 14, 2012, and they request that the Court extend the time limits provided by
23 Federal Rule of Criminal Procedure 5.1(c) and 18 U.S.C. § 3161. This extension of time is
24 necessary for the parties to explore possible pre-indictment resolution and for effective
25 preparation of counsel, as a new attorney will be taking over and representing the defendant.

26 Pursuant to Rule 5.1(d), the defendant and the government consent to the extension of
27 time, and the parties represent that good cause exists for this extension, including the effective
28 preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). For the same reasons, the parties also

1 request that the Court exclude from the time limits of 18 U.S.C. § 3161 the period from the date
2 of this Order through December 14, 2012. The parties also agree that the ends of justice served
3 by granting such an exclusion of time outweigh the best interests of the public and the defendant
4 in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

5
6 SO STIPULATED:

7 MELINDA HAAG
United States Attorney

8 DATED: November 27, 2012

9 /s/
KATIE BURROUGHS MEDEARIS
Assistant United States Attorney

10
11 DATED: November 27, 2012

12 /s/
RANDY SUE POLLOCK
Attorney for GRACIELA QUINONEZ RIVERA

13 ~~PROPOSED~~ ORDER

14 For the reasons stated above, the Court sets December 14, 2012, as the date for the
15 arraignment or preliminary hearing. The Court finds that extension of time limits applicable
16 under Federal Rule of Criminal Procedure 5.1(c) from the date of this Order through December
17 14, 2012, is warranted; that exclusion of this period from the time limits applicable under 18
18 U.S.C. § 3161 is warranted; that the ends of justice served by the continuance outweigh the
19 interests of the public and the defendant in the prompt disposition of this criminal case; and that
20 the failure to grant the requested exclusion of time would deny counsel for the defendant and for
21 the government the reasonable time necessary for effective preparation of counsel, taking into
22 account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C.
23 §3161(h)(7)(B)(iv).

24
25 IT IS SO ORDERED.

26 DATED: November 29, 2012

27 
HON. LAUREL BEELER
United States Magistrate Judge

MELINDA HAAG (CABN 132612)
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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 3-12-71212
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED] ORDER
v.)	CHANGING HEARING DATE AND
)	EXCLUDING TIME
GRACIELA QUINONEZ RIVERA,)	
)	
Defendant.)	<u>ATTESTATION OF FILER</u>
)	

In addition to myself, the other signatory to this document is Randy Sue Pollock. I certify that I have her permission to enter a conformed signature on her behalf and to file.

Date: November 27, 2012

Respectfully submitted,
MELINDA HAAG
United States Attorney

/s/
KATIE BURROUGHS MEDEARIS
Assistant United States Attorney

ATTESTATION OF FILER
CR 3-12-71212